United Nations S/RES/2409 (2018)

Security Council

Distr.: General
27 March 2018

Original: English

Resolution 2409 (2018)

Adopted by the Security Council at its 8216th meeting, on 27 March 2018

The Security Council,

Recalling its previous resolutions and the statements of its President concerning the Democratic Republic of the Congo (DRC), especially its resolutions 2389 (2017), 2360 (2017), 2348 (2017), 2293 (2016), 2277 (2016), 2211 (2015), 2198 (2015), 2147 (2014), 2136 (2014), and 2098 (2013),

Reaffirming the basic principles of peacekeeping, including consent of the parties, impartiality, and non-use of force, except in self-defence and defence of the mandate, and *recognizing* that the mandate of each peacekeeping mission is specific to the need and situation of the country concerned,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of the DRC as well as all States in the region and *emphasizing* the need to respect fully the principles of non-interference, good-neighbourliness and regional cooperation,

Recalling that the Government of the DRC bears the primary responsibility to protect civilians within its territory and subject to its jurisdiction, including protection from crimes against humanity and war crimes,

Reaffirming its strong support for the "Comprehensive and Inclusive Political Agreement" signed in Kinshasa on 31 December 2016, which remains the only viable path out of the current political situation, *calling for* a swift and full implementation of the agreement, in good faith and in all its components, in order to organize peaceful, credible, inclusive and timely elections on 23 December 2018, in line with the electoral calendar, leading to a peaceful transfer of power, in accordance with the Congolese Constitution,

Recalling that full and timely implementation of the 31 December 2016 agreement and the electoral calendar is critical in supporting the legitimacy of the transitional institutions, *stressing* the crucial importance of a peaceful and credible electoral cycle, in accordance with the Constitution and respecting the African Charter on Democracy, Elections and Governance, for lasting stabilization, rule of law and consolidation of constitutional democracy in the DRC, and *calling on* the DRC government to immediately implement the confidence-building measures in full, as per the agreement, including by putting an end to restrictions of the political space in the DRC, in particular arbitrary arrests and detention of members of the

Please recycle

political opposition and of civil society, as well as restrictions of fundamental freedoms such as the freedom of opinion and expression, freedom of the press, and the right of peaceful assembly,

Recalling the importance of taking urgent measures to restore confidence between all actors involved in the electoral process, *stressing* the importance of the Government of the DRC and its national partners taking all necessary steps to accelerate preparations for the elections without further delay, and to ensure an environment conducive to the peaceful and inclusive conduct of political activities, including the security of all political actors, and *reiterating* its commitment to act accordingly regarding all Congolese actors whose actions and statement impede the implementation of the agreement and the timely organization of the elections,

Calling upon all parties to continue to reject violence of any kind, exercise maximum restraint in their actions and statements, to refrain from provocations such as violence and violent speeches, so as not to further inflame the situation, and to address their differences peacefully,

Remaining deeply concerned by reports of increased serious violations and abuses of human rights and violations of international humanitarian law committed by some members of the Armed Forces of the DRC (FARDC), the National Intelligence Agency (ANR), the Republican Guard and Congolese National Police (PNC), including against members of the opposition and of civil society in the context of the electoral process, *strongly condemning* the killing of civilians by State and non-State actors and disproportionate use of force by elements of the security forces, including during peaceful protests, in accordance with national legislation, *stressing* the importance of releasing all persons detained arbitrarily, including human rights defenders and persons of different political affiliations, and *emphasizing* that the Government of the DRC must respect human rights and refrain from disproportionate use of force,

Welcoming in that regard the report of the Joint Commission of Inquiry, composed of representatives of the Ministries of Human Rights, Justice and Security, the National Commission of Human Rights and civil society, set up to investigate allegations of human rights violations and abuses committed on 31 December 2017 and 21 January 2018, which notes "cases of illegal use of force" and of violations of the right of freedom of religious assembly, and *calling* for the implementation of its recommendations, including regarding banning the use of live ammunition,

Reiterating its concern over the lack of progress in the investigations and prosecutions against alleged perpetrators of human rights violations and abuses committed during the 2011 electoral process, in January 2015, September and December 2016, in December 2017, and January and February 2018, and *calling for* further efforts to hold those responsible to account and fight impunity,

Remaining deeply concerned by the persistent high levels of violence and violations and abuses of human rights and violations of international humanitarian law, *condemning* in particular those involving targeted attacks against civilians, widespread sexual and gender-based violence, recruitment and use of children by armed groups and militias, the forced displacement of significant numbers of civilians, extrajudicial executions and arbitrary arrests, *recognizing* their deleterious effect on the stabilization, reconstruction and development efforts in the DRC, and *emphasizing that* all those responsible for all such violations and abuses must be swiftly apprehended, brought to justice and held accountable, and *calling upon* the Government of the DRC to facilitate, in line with previous agreements, full and unhindered access for the Joint Human Rights Office in the DRC to all detention centres, hospitals and morgues and all other premises required for documenting human rights violations, as applicable,

Recalling the importance of fighting impunity within all ranks of FARDC and PNC, *commending* the DRC authorities for prosecutions and convictions of members of the FARDC and PNC for crimes against humanity and *encouraging* them to take further action, and *stressing the need* for the Government of the DRC to continue to ensure the increased professionalism of its security forces, including the training and capacity building aimed at security during public meetings and protests fully respecting domestic and international human rights law,

Noting that the DRC has continued to suffer from recurring and evolving cycles of conflict and persistent violence by armed groups, *expressing* particular concern at the reports of growing inter-communal and militia violence in areas of the DRC, in particular in the regions of Kasaï and Tanganyika, including attacks against religious institutions, and killings of policemen, *further expressing concerns* about mass graves in the Kasaï region, and *calling upon* all parties to take appropriate measures to protect and respect United Nations, diplomatic and foreign premises, property and personnel and other civilians in the DRC,

Reiterating its deep concern regarding the security and humanitarian crisis in the DRC exacerbated by destabilizing activities of foreign and domestic armed groups, *stressing* the importance of neutralizing armed groups in the DRC, and *recognizing* the importance of efforts of the FARDC and the United Nations Organization Stabilization Mission in the DRC (MONUSCO), including by conducting joint operations, in accordance with its mandate and the human rights due diligence policy on United Nations-support to non-United Nations forces (HRDDP), in that regard, *recalling* the strategic importance of the implementation of the Peace, Security and Cooperation (PSC) Framework for the DRC and the region, and *reiterating* its call to all signatories to fulfil promptly, fully and in good faith their respective commitments under this Framework in order to address the root causes of conflict and put an end to recurring cycles of violence, and promote lasting regional development,

Recalling that it is prepared to impose targeted sanctions under paragraph 7 (d) and (e) of its resolution 2293 (2016), regarding inter alia human rights violations or abuses or violations of international humanitarian law,

Stressing the need for continued cooperation with the International Criminal Court (ICC) by the Government of the DRC, and *stressing* the importance of actively seeking to hold accountable those responsible for genocide, war crimes and crimes against humanity in the country,

Encouraging the continuation of efforts by the Secretary-General of the United Nations, the African Union (AU), the International Conference on the Great Lakes Region (ICGLR), and the Southern African Development Community (SADC) to restore peace and security in the DRC, *encouraging* the Government of the DRC to ensure continuous close cooperation with these and other international parties, and *recognizing* the efforts of the Government of the DRC aiming at the achievement of peace and national development,

Expressing concern at the illegal exploitation and trafficking of natural resources by armed groups among others, and the negative impact of armed conflict on protected natural areas, which undermines lasting peace and development for the DRC, and *encouraging* the Government of the DRC to strengthen efforts to safeguard those areas,

Welcoming the decisions of the ICGLR at its 7th summit on 19 October 2017 regarding the fight against illegal exploitation of natural resources in the Great Lakes region and *encouraging* member States to further increase cooperation in fighting illegal exploitation and trade of natural resources, including gold and wildlife,

Expressing great concern over the rapidly deteriorating humanitarian situation that has left at least 13.1 million Congolese in need of humanitarian assistance, including more than 7.7 million severely food insecure people, *expressing deep concern* that the worsening humanitarian situation has reached catastrophic levels in some parts of the country and has prompted the United Nations to activate the highest level of emergency preparedness, further *expressing deep concern* regarding the very high number of internally displaced persons in the DRC which has more than doubled in the last year to more than 4.49 million, and the 540,000 refugees in the DRC, as well as the more than 714,000 refugees from the DRC as a result of ongoing hostilities, *calling* on member States and other international partners to scale up funding to urgently respond to the humanitarian needs in the country, *further calling upon* the DRC and all States in the region to work towards a peaceful environment conducive to the realization of durable solutions for refugees and internally displaced persons, including their eventual voluntary return and reintegration in the DRC in conditions of safety and dignity, with the support of the United Nations Country Team (UNCT), *stressing* that any such solution should be in line with relevant obligations under international refugee law, international humanitarian law and international human rights law, and *commending* United Nations humanitarian agencies, partners, and donors for their efforts to provide urgent and coordinated support to the population,

Expressing further concern at increased impediments to humanitarian access in eastern DRC resulting from insecurity and violence, as well as continued attacks against humanitarian actors and assets, *calling upon* all parties to respect the impartiality, independence and neutrality of humanitarian actors, and *underlining* the need for safe and unhindered access for humanitarian actors,

Recalling all its relevant resolutions on women, peace and security, on children and armed conflict, and on the protection of civilians in armed conflict, also *recalling* the conclusions on children and armed conflict in the DRC (S/AC.51/2014/3) adopted on 18 September 2014 by the Security Council Working Group on Children and Armed Conflict pertaining to the parties in armed conflicts of the DRC, and *welcoming* efforts of the Government of the DRC in this regard, *welcoming* efforts by the Government of the DRC to implement resolution 1325 (2000) and *encouraging* the implementation of the National Action plan,

Welcoming the progress achieved by the Government of the DRC, including the Presidential Adviser on Sexual Violence and the Recruitment of Children, in cooperation with the Special Representative of the Secretary-General (SRSG) for Children and Armed Conflict, the SRSG on Sexual Violence in Conflict, and MONUSCO, to implement the action plans to prevent and end the recruitment and use of children and sexual violence by the FARDC, and to combat impunity for sexual violence in conflict, including sexual violence committed by the FARDC and the PNC,

Welcoming the efforts of MONUSCO and international partners in delivering training in human rights, international humanitarian law, gender mainstreaming, child protection and protection from sexual and gender-based violence for Congolese security institutions and *underlining* their importance,

Welcoming the commitment of the Secretary-General to enforce strictly his zero-tolerance policy on sexual exploitation and abuse (SEA), *noting* the various measures taken by MONUSCO and Troop- and Police-contributing countries (T/PCCs) to combat SEA, which has led to a reduction in reported cases, but still *expressing grave concern* over numerous allegations of SEA reportedly committed by peacekeepers and civilian personnel in the DRC, *emphasizing* the need to ensure that incidents can be reported and duly verified in a safe and simple manner, *stressing* the urgent need

for T/PCCs and, as appropriate, MONUSCO to promptly investigate those allegations in a credible and transparent manner and for those responsible for such criminal offences or misconduct to be held to account, and *further stressing* the need to prevent such exploitation and abuse and to improve how these allegations are addressed in line with resolution 2272 (2016),

Reaffirming that the successful protection of civilians is critical to the fulfilment of MONUSCO's mandate and the delivery of an improved security environment, also *stressing* the importance of peaceful means and progress on key reforms to promote the protection of civilians, as well as appropriate prioritization and resourcing,

Reaffirming its strong support to the SRSG and MONUSCO in the implementation of their mandates, *strongly encouraging* the continuation of their efforts and *calling on* the Secretariat to support MONUSCO to fully implement its mandate,

Recalling that it is important that all MONUSCO contingents, including the contingents of the Intervention Brigade, are properly trained and effectively equipped, including with adequate language skills, staffed and supported to be able to sustain their commitment to carry out their respective tasks,

Recalling resolution 2378 (2017), which requests the Secretary-General to ensure that data related to the effectiveness of peacekeeping operations, including peacekeeping performance data, is used to improve analytics and evaluation of mission operations, based on clear and well identified benchmarks,

Noting the publication of the report on "Improving Security of United Nations Peacekeepers", which *highlights* the link between the safety and security of peacekeepers and the performance of troops, *recognizing* that fatalities can be a consequence of deficiencies in training, equipment and performance,

Welcoming the initiative of the SG to conduct Special Investigations into performance issues, *encouraging* the SG to report on the findings of such investigations and efforts to take collective action to improve peacekeeping operations,

Noting the financial constraints the United Nations face and the need for the United Nations to make the best use of the resources placed at its disposal, *encouraging* Member States to ensure that MONUSCO is sufficiently resourced and equipped to effectively carry out its mandate and to ensure that the United Nations makes the best use of the resources placed at its disposal,

Reiterating its call on all parties to cooperate fully with MONUSCO and to remain committed to the full and objective implementation of the Mission's mandate, *reiterating* its condemnation of any and all attacks against peacekeepers, and *emphasizing* that those responsible for such attacks must be held accountable,

Emphasizing that MONUSCO's activities should be conducted in such a manner as to build and sustain peace and facilitate progress towards sustainable peace and development, *stressing* the need to involve the UNCT and, in this regard, *emphasizing* the importance of joint analysis and effective strategic planning with the UNCT,

Determining that the situation in the DRC continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Political situation and electoral process

1. *Reiterates* its appeal to all Congolese actors to work for the preservation of the still fragile gains in the path of peace and stability in the DRC, *underscores* the

responsibility that all Congolese political stakeholders bear, especially by overcoming their differences to reach consensus and upholding the interests and well-being of their people above all other considerations, *strongly urges* all stakeholders, most notable all signatories of the 31 December 2016 Agreement, to remain committed to the Agreement and actively engaged to ensure its full implementation and work towards the holding of transparent, credible and inclusive elections within the timetable announced by the Independent National Electoral Commission (CENI), including by refraining from provocations such as violence and violent speech, exercising maximum restraint in their actions and statements and addressing their differences peacefully,

2. *Requests* the Secretary-General to provide political support to the implementation of the Agreement and the restoration of trust among the different parties and preparation of the elections, consistent with this resolution, including through his good offices;

3. *Calls on* all stakeholders in the DRC, including President Kabila, the presidential majority and the opposition, to swiftly implement the Agreement, in good faith and in all its components, and to fully implement confidence-building measures, and in particular the release of all political prisoners, an end to "unjustified lawsuits", as they are referred to in the agreement, an end to the duplication of political parties and a credible candidates registration process, and allowing all main political parties to appoint their own representatives in the bodies overseeing the electoral process, in order to proceed without further delay to the preparation of the elections due to take place on 23 December 2018;

4. *Reiterates* its determination to bring its full support to the implementation of the Agreement and that effective, swift and timely implementation of the Agreement is critical to a credible process and the peace and stability of the DRC and in supporting the legitimacy of the transitional institutions;

5. *Calls* for continued and close coordination between the United Nations, the African Union, the ICGLR, SADC, and other key regional actors to ensure full implementation of the Agreement and the successful conclusion of the electoral process;

6. *Underscores* the need to do everything possible to ensure that the elections on 23 December 2018 are organized with the requisite conditions of transparency, credibility and inclusivity and security, including full and effective participation of women at all stages, *calls on* the Government of the DRC and its national partners, including the CENI, to ensure a safe, transparent and credible electoral process, in fulfilment of their primary responsibility to create propitious conditions for the forthcoming elections, as per the 31 December 2016 agreement, and in accordance with the Constitution and national legislation, and respecting the African Charter on Democracy, Elections and Governance, including by ensuring full access to the CENI budget, plans and operations to Congolese observers and by ensuring continuous dialogue with political parties and civil society representatives, so as to ensure consensus and confidence in the conduct of the electoral process;

7. *Welcomes* the completion of the voter registration by the CENI, with the active support of MONUSCO, the adoption of the amended electoral law and of the election financing bill by the Congolese parliament, *calls on* the CENI to ensure the electoral calendar and key election benchmarks are respected, which include finalizing a clear and transparent budget, cleaning the voter registry by April 2018, conducting an independent audit of the registry by May 2018, and respecting deadlines for candidate registration finalised by August 2018, culminating in elections being held on 23 December 2018 and transfer of power on 12 January 2019;

8. *Calls on* the Parliament during the ordinary session starting on 15 March 2018 to adopt revisions to the law for the distribution of seats needed to keep the electoral timeline in conformity with the electoral calendar, *further calls on* all political stakeholders to take measures to improve women participation in the elections, especially ensuring an increase in the number of women candidates standing for election;

9. *Encourages* the CENI to approve the multi-partner fund for the Projet d'Appui au Cycle Electoral au Congo (PACEC) in order to support civic education, the deployment of elections monitors and provide other important types of support for the election process and *encourages* donors to fund it accordingly, *welcomes* the commitment by the United Nations, the African Union, SADC, the European Union and the Organisation Internationale de la Francophonie to support the electoral process, and the establishment of a joint team of experts from these organizations, as well as the role of ICGLR, and *encourages* the CENI to make us of their support;

10. *Urges* the Government as well as all relevant parties to ensure an environment conducive to a free, fair, credible, inclusive, transparent, peaceful and timely electoral process, in accordance with the Congolese Constitution and the 31 December 2016 Agreement, which includes, for women and men alike, free and constructive political debate, freedom of opinion and expression, including for the press, freedom of assembly, equitable access to media including State media, the security of all political actors, freedom of movement for all candidates, as well as for election observers and witnesses, journalists, human rights defenders and actors from civil society;

Human Rights

11. *Urges* the Government of the DRC to hold accountable those responsible for violations of international humanitarian law or violations and abuses of human rights, as applicable, in particular those that may amount to war crimes and crimes against humanity, including those committed in the context of the electoral process, and *stresses the importance* to this end of both regional cooperation and the DRC's cooperation with the ICC, as well as cooperation with the African court of Human and People's rights;

12. *Expresses* concern about the increase in reported human rights violations by State agents, *calls upon* the Congolese authorities to ensure the prosecution of those responsible for the crimes involving grave human rights violations and abuses committed in the context of the 28 November 2011 elections and the current electoral process, deplores the loss of lives, injuries and arrests recorded during various incidents and *condemns* any disproportionate use of force, and *calls on* the Congolese authorities to urgently investigate any disproportionate use of force by security forces on peaceful protesters, in particular on 31 December 2017, 21 January 2018 and 25 February 2018, so that those responsible for these acts are swiftly brought to justice, *underlines* the importance of observing the rule of law;

13. *Calls on* the Government of the DRC to respect human rights and fundamental freedoms, especially the right of peaceful assembly, lift the blanket ban on demonstrations, and to exercise maximum restraint in their response to protests, as recommended by the report of the Congolese Joint Commission of Inquiry on Allegations of Human Rights Violations and Abuses committed on 31 December 2017 and 21 January 2018, and also calls upon the opposition actors to ensure the peaceful character of their demonstrations and to respect national legislation;

14. *Reiterates its condemnation* of the violence witnessed in the Kasaï region over the past year, *further reiterates* the importance and urgency of prompt and transparent investigations into violations of international humanitarian law and

violations or abuses of human rights in the region, as well as its intention to closely monitor progress of the investigations into these violations and abuses, including the joint investigations by the Government of the DRC, MONUSCO and the United Nations Joint Human Rights Office in the DRC, in order to bring to justice and hold accountable all those responsible, and *looks forward* to their results; *further calls upon* the Government of the DRC to continue to cooperate with the team of international experts on the situation in the Kasai regions, as mandated by the Human Rights Council in its resolution 35/33, and *urges* the Government of the DRC to fully cooperate with the united Nations team deployed, as agreed, to assist the Congolese authorities investigations into the deaths of the two UN experts in March 2017, and ensure all perpetrators are brought to justice and held accountable;

15. *Welcomes* efforts made by the Government of the DRC to combat and prevent sexual violence in conflict, including progress made in the fight against impunity through the arrest, prosecution and conviction of perpetrators from the FARDC and the PNC, and *urges* the Government of the DRC to continue to strengthen its efforts to combat impunity for sexual violence in conflict, including sexual violence committed by the FARDC and PNC at all levels, and to provide all necessary services and protection to survivors and victims, *and further calls upon* the Government of the DRC to complete investigations into allegations of sexual exploitation and abuse by members of the FARDC in line with the zero-tolerance policy and, if appropriate, to prosecute those responsible;

16. *Encourages* the Government of the DRC to implement in full its National Strategy and the Roadmap agreed during the national conference in Kinshasa from 11–13 October 2016 to evaluate the implementation of the Joint Communiqué between the Government of the DRC and the United Nations on the Fight Against Sexual Violence in Conflict adopted in Kinshasa on 30 March 2013;

17. *Welcomes* the progress made in the implementation of the Action Plan to prevent and end the recruitment and use of children by the FARDC and the subsequent delisting of the FARDC for child recruitment and use, and *calls upon* the Government of the DRC to urgently ensure the gains of this Action plan are sustained and to take all necessary steps to end and prevent violations and abuses against children, and to ensure that children are not detained for their alleged association with armed groups and are handed over to child protection actors, in line with the Ministry of Defence and the National Intelligence Agency Directives issued in 2013;

Armed Groups

18. *Condemns* the increased activity of armed groups in the DRC and shifting conflict dynamics, including a recent increase in violence against local communities and politically motivated violence, attacks against UN forces and the DRC armed forces, escalating ethnic tensions and intercommunal violence, and an increase in displacement, and *reiterates* its strong condemnation of attacks against MONUSCO peacekeepers, in particular the attack on 7 December 2017;

19. *Strongly condemns* all armed groups operating in the DRC and their violations of international humanitarian law as well as other applicable international law, and abuses of human rights especially those involving attacks on the civilian population, United Nations and associated personnel and humanitarian actors, summary executions, sexual and gender based violence and recruitment and use of children, abductions of children and humanitarian personnel, attacks on schools and hospitals in violation of applicable international law, and *reiterates* that those responsible must be held accountable;

20. *Demands* that all armed groups cease immediately all forms of violence, including violations and abuses against children and other destabilizing activities, the

illegal exploitation and trafficking of natural resources, and *further demands* that their members immediately and permanently disband, lay down their arms, reject violence and release children from their ranks, *recalls* in this regard its resolution 2360 (2017) renewing the sanctions regime established by its resolution 1807 (2008), and further *welcomes* the commitment of the signatory states of the PSC Framework to complete without precondition the repatriation of the FDLR disarmed combatants and former M23 combatants within the shortest time frame possible, *urges* the Governments of the region, with the support of the PSC Guarantors, to strengthen their collaboration to meet the agreed timeframe, and *recalls* in this regard its resolution 2389 (2017);

21. *Calls for* joint operations by the FARDC and MONUSCO, that include joint planning and tactical cooperation, in accordance with MONUSCO's mandate and the United Nations HRDDP, to ensure all efforts possible are being made to neutralize armed groups and *stresses* the need to carry out operations in strict compliance with international law, including international humanitarian law and international human rights law, as applicable;

22. *Calls on* the Government of the DRC to take further military action, in accordance with international law, including international humanitarian law and international human rights law, as applicable, in coordination and with the support of MONUSCO in accordance with its mandate, to end the threat posed by armed groups operating in eastern DRC, *further calls* on the Government of the DRC and other signatories to implement the provisions of the PSC Framework related to the root causes of conflict in order to put an end to the recurring cycle of violence;

23. *Welcomes* the renewed commitment of all the signatory states of the PSC Framework towards its full implementation, as expressed in the Communique of the Eighth High-Level Meeting of the Regional Oversight Mechanism, held in Brazzaville, Republic of Congo, on 19 October 2017, *reaffirms* that the PSC Framework remains an essential mechanism to achieve durable peace and stability in the DRC and the Region, and *stresses* in this regard the importance of the signatory States fully implementing their national and regional commitments under the PSC Framework, including not interfering in the internal affairs of neighbouring countries, neither tolerating nor providing assistance or support of any kind to armed groups, and neither harbouring nor providing protection of any kind to persons accused of war crimes, crimes against humanity or acts of genocide;

24. *Calls for* a suitable solution for the relocation of elements of the Sudan People's Liberation Movement/Army-in Opposition (SPLM/A-iO) currently present in the DRC, with the support of the Government of the DRC, the wider region, international partners and the Secretary-General through his good offices, *welcomes* the establishment of a joint working group, and *supports* the efforts of the United Nations in that regard;

25. *Calls on* the Government of the DRC, which has the primary responsibility for safeguarding the DRC's sovereignty and territorial integrity, to make further meaningful progress in implementing its commitments under the PSC Framework, in particular as regards the consolidation of State authority, reconciliation, tolerance and democracy, and to remain fully committed to protecting the civilian population through the swift establishment of professional, accountable and sustainable security forces, the deployment of an accountable Congolese civil administration, in particular the police, judiciary, prison and territorial administration and the consolidation of rule of law and promotion and protection of human rights;

26. *Notes with deep concern* the limited progress in those fields essential for the DRC's stabilization and *reiterates* its call to the Government of the DRC to take further steps in particular to uphold its national commitments to Security Sector Reform (SSR), and to readjust and implement fully and immediately the national

Disarmament, Demobilization and Reintegration (DDR) programme, ensuring the protection of children's rights is an integral part of those processes;

27. *Calls for* continued national efforts to address the threat posed by the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, including inter alia through ensuring the safe and effective management, storage and security of their stockpiles of weapons and ammunition, with the continued support of MONUSCO, as appropriate and within existing resources;

28. *Encourages* the Government of the DRC to fully implement its DDR plan and provide appropriate funding, and initiate a strategic shift away from static demobilization to a more flexible approach, in order to effectively attract former combatants into joining the DDR programme, *acknowledges* that the absence of a credible DDR process adjusted to current armed groups dynamics is preventing armed elements from laying down their weapons, further demands that the government conduct any integration of former combatants into the security sector in a transparent manner and in line with international DDR and SSR standards;

MONUSCO's mandate

29. *Decides* to extend until 31 March 2019 the mandate of MONUSCO in the DRC, including, on an exceptional basis and without creating a precedent or any prejudice to the agreed principles of peacekeeping, its Intervention Brigade;

30. *Decides* that MONUSCO's authorized troop ceiling will be comprised of 16,215 military personnel, 660 military observers and staff officers, 391 police personnel, and 1,050 personnel of formed police units;

31. *Decides* that the strategic priorities of MONUSCO are to contribute to the following objectives:

(a) Protection of civilians, as described in paragraph 36 (i) of this resolution;

(b) Support to the implementation of the 31 December 2016 agreement and the electoral process, as described in paragraph 36 (ii) of this resolution, in order to hold credible elections, thus contributing to the stabilization of the DRC;

32. *Stresses* that MONUSCO's mandate should be implemented based on a prioritization of tasks established in paragraphs 36 to 37 of this resolution, and *further requests* the Secretary-General to reflect this prioritization in the deployment of the mission and to align budgetary resources according to the prioritization of mandate tasks as set out in this resolution, while ensuring appropriate resources for the implementation of the mandate, and, in this regard, *reaffirms* that the protection of civilians must be given priority in decisions about the use of available capacity and resources,

33. *Notes* that drivers behind different armed groups' activities and militia violence are varied and that there is no purely military solution to these problems, *underlines* the importance of enhanced political and conflict analysis to inform comprehensive military and civil responses to these threats across MONUSCO, including through collecting, analysing and exchanging information at the proper levels on the criminal networks which support these armed groups and *further underlines* the need for tailored responses in tackling armed groups;

34. *Stresses* the need for coordination and cooperation between the Government of the DRC and other national authorities, United Nations entities and development actors to build and sustain peace, stabilize, improve security situation and assist in restoration of State authority;

35. *Authorizes* MONUSCO, in pursuit of its mandated tasks, to take all necessary measures to carry out its mandate and *requests* the Secretary-General to immediately inform the Security Council should the MONUSCO Force or Police fail to do so;

36. *Decides* that the mandate of MONUSCO shall include the following priority tasks, bearing in mind that these tasks as well as those in paragraph 37 below are mutually reinforcing:

(i) Protection of civilians

(a) Ensure effective, dynamic and integrated protection of civilians under threat of physical violence through a comprehensive approach, including by preventing, deterring, and stopping all armed groups and local militias from inflicting violence on the populations, and by supporting and undertaking local mediation efforts to prevent escalation of violence, paying particular attention to civilians gathered in displaced persons and refugee camps, peaceful demonstrators, humanitarian personnel and human rights defenders, in line with the basic principles of peacekeeping and with a focus on violence emerging from any of the parties engaged in the conflict, outbreaks of violence between ethnic or religious rival groups or communities in identified territories, as well as in the context of elections, and mitigating the risk to civilians before, during and after any military operation;

(b) Work with the Government of the DRC to identify threats to civilians and implement existing prevention and response plans and strengthen civil-military cooperation, including joint planning, to ensure the protection of civilians from abuses and violations of human rights and violations of international humanitarian law, including all forms of sexual and gender-based violence and violations and abuses committed against children and persons with disabilities, and *requests* MONUSCO to accelerate the coordinated implementation of monitoring, analysis and reporting arrangements on sexual violence in conflict and to continue to ensure the effectiveness of the monitoring and reporting mechanism on children and armed conflict;

(c) Enhance its interaction with civilians, including by the troops, to raise awareness and understanding about its mandate and activities, to strengthen its early warning mechanism, and to increase its efforts to monitor and document violations of international humanitarian law and violations and abuses of human rights, including in the context of elections; and continue and strengthen local community engagement and empowerment, as well as strengthening protection of civilians through early warning and response, including prevention, as appropriate, and by ensuring mobility of the mission;

(d) Neutralize armed groups through the Intervention Brigade under direct command of MONUSCO Force commander; in support of the authorities of the DRC, on the basis of information collection and analysis, and taking full account of the need to protect civilians and mitigate risk before, during and after any military operation, carry out targeted offensive operations in the DRC through the Intervention Brigade with the support of the whole of MONUSCO, either unilaterally or jointly with the FARDC, in a robust, highly mobile and versatile manner and in strict compliance with international law, including international humanitarian law, and in accordance with the standing operating procedures applicable to persons who are captured or who surrender, and with the United Nations HRDDP, prevent the expansion of all armed groups, neutralize these groups, and disarm them in order to contribute to the objective of reducing the threat posed by armed groups to state authority and civilian security in the DRC and to make space for stabilization activities, and for the whole of MONUSCO force component to guarantee effective protection of civilians,

including in support of operations conducted by the Intervention Brigade to neutralize armed groups and in areas where armed groups have been neutralized;

(e) Provide good offices, advice and assistance to the Government of the DRC to ensure actions against armed groups are supported by civilian and police components as part of consolidated planning which provides a comprehensive response to area-based stabilization efforts;

(f) Work with the authorities of the DRC, leveraging UN Police investigation capacities and expertise, to arrest and bring to justice all those allegedly responsible for genocide, war crimes and crimes against humanity and violations of international humanitarian law and violations or abuses of human rights in the country, including through cooperation with States of the region and the ICC;

(g) Provide good offices, advice and support to the Government of the DRC to promote human rights, in particular civil and political rights, and to fight impunity, including through the implementation of the Government's "zero tolerance policy" with respect to discipline and human rights and international humanitarian law violations, committed by elements of the security sector, and to engage and facilitate mediation efforts at local level to advance sustainable peace;

(ii) Implementation of the 31 December 2016 agreement and support to the electoral process

(a) Provide technical and political support to the implementation of the 31 December 2016 agreement and the electoral process, including through good offices and engagement with interlocutors across the political spectrum, including the Government, opposition parties and civil society, in coordination with regional and international partners, and using an integrated approach throughout the United Nations making full use of the existing capacities of the Secretary-General's Special Envoy for the Great lakes, the United Nations Office to the African Union and the United Nations Office for Central Africa, with a view to furthering reconciliation and democratization, paving the way for holding the elections on 23 December 2018, consistent with paragraphs 1 to 10 above;

(b) Provide technical assistance and logistical support for the electoral process, as appropriate and in coordination with Congolese authorities, the UNCT, regional and international actors, in order to facilitate the electoral cycle, in particular by engaging in a regular and substantial dialogue with the CENI, and *decides* that this support will be continually assessed and reviewed according to the progress made by the Congolese authorities in the steering of the electoral process, particularly on presidential and legislative elections, in accordance with paragraphs 1 to 10 above;

(c) Contribute to the provision of training to the PNC in relation to elections security, and to this purpose provide expertise and advice in order to coordinate all relevant planning and security support to a smooth progress towards the elections, including through human rights training, in compliance with the United Nations HRDDP;

(d) Monitor, report immediately to the Security Council, and follow-up on human rights violations and abuses and violations of international humanitarian law to report on restrictions on political space and violence, including in the context of the elections, and support the United Nations system in-country to ensure that any support provided by the United Nations shall be consistent with international humanitarian law and human rights law and refugee law as applicable;

(iii) Protection of the United Nations

Ensure the protection of United Nations personnel, facilities, installations and equipment and the security and freedom of movement of United Nations and associated personnel;

37. *Further authorizes* MONUSCO to pursue the following tasks, in a streamlined and sequenced manner, and in support of the strategic priorities identified above:

(i) Stabilization and DDR

(a) Provide coordination between the Government of the DRC, international partners and United Nations agencies in a targeted, sequenced and coordinated approach to stabilization informed by up to date conflict analysis, through the implementation of the International Security and Stabilisation Support Strategy (ISSSS) and adoption of a conflict-sensitive approach across the Mission, in order to establish functional, professional, and accountable state institutions, including security and judicial institutions;

(b) Continue to collaborate with the Government of the DRC in the swift and vigorous implementation of the Action Plan to Prevent and end the Recruitment and Use of Children and Sexual Violence by the FARDC, and continue dialogue with all listed parties to obtain further commitments and work towards the development and implementation of action plans to prevent and end violations and abuses against children;

(c) Provide good offices, advice and assistance to the Government of the DRC, in close cooperation with other international partners, in the DDR of Congolese combatants not suspected of genocide, war crimes, crimes against humanity or abuses of human rights, into a peaceful civilian life in line with a Community Violence Reduction (CVR) approach through community-based security and stabilization measures and flexible disarmament and demobilization approach, coordinated under the framework of the ISSSS, while paying specific attention to the needs of children formerly associated with armed forces and groups;

(d) Provide support to the disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) process to return and reintegrate foreign combatants not suspected of genocide, war crimes, crimes against humanity or abuses of human rights and their dependants to a peaceful civilian life in their country of origin, or a receptive third country while paying specific attention to the needs of children formerly associated with armed forces and groups, including through the follow-up mechanism under the PSC Framework on the repatriation of FDLR disarmed combatants and their dependents that are in the transit camps of Kanyabayonga, Kisangani and Walungu;

(ii) Security Sector Reform (SSR)

Work with the Government of the DRC:

(a) In the reform of the police, including by assisting the Comité de réforme de la police, and by advocating for the establishment of the Secrétariat Général à la sécurité et à l'ordre public that will coordinate security institutions with a law enforcement mission;

(b) To encourage inclusive SSR, which delivers security, law enforcement and justice to all, including to women and children, and persons in vulnerable situation, and accelerate national ownership of SSR by the Government of the DRC, including through the development of a common national vision, to be encapsulated in a

national security policy, as well as a clear and comprehensive SSR implementation roadmap including benchmarks and timelines, and play a leading role in coordinating the support for SSR provided by international and bilateral partners and the United Nations system;

(c) In compliance with the United Nations HRDDP, for army reform that would enhance its accountability, efficiency, self-sustainability, training, vetting and effectiveness, while noting that any support provided by the United Nations, including in the form of rations and fuel, should be only for joint operations, jointly planned and executed, and subject to appropriate oversight and scrutiny, failing which that support should be suspended;

(d) For the implementation of any appropriate recommendations for justice and prison sector reforms as contained in the National Justice Reform Plan and the final report of the Etats généraux de la Justice, including on the fight against impunity, for genocide, war crimes and crimes against humanity, in order to develop independent, accountable and functioning justice and security institutions;

(iii) Sanctions regime

Monitor the implementation of the arms embargo as described in paragraph 1 of resolution 2293 (2016) in cooperation with the Group of Experts established by resolution 1533 (2004), and in particular observe and report on flows of military personnel, arms or related materiel across the eastern border of the DRC, including by using, as specified in the letter of the Council dated 22 January 2013 (S/2013/44), surveillance capabilities provided by unmanned aerial systems, seize, collect, record and dispose of arms or related materiel brought into the DRC in violation of the measures imposed by paragraph 1 of resolution 2293 (2016), and exchange relevant information with the Group of Experts;

Child protection

38. *Requests* MONUSCO to take fully into account child protection as a cross-cutting issue throughout its mandate and to assist the Government of the DRC in ensuring that the protection of children's rights is taken into account, inter alia, in DDR processes and in SSR as well as during interventions leading to the separation of children from armed groups in order to end and prevent violations and abuses against children;

Gender, Sexual Violence, Sexual Exploitation and Abuse

39. *Requests* MONUSCO to take fully into account gender considerations as a crosscutting issue throughout its mandate and to assist the Government of the DRC and other relevant stakeholders in ensuring the participation, involvement and representation of women at all levels, including in the creation of conditions conducive to the holding of elections, protection of civilians and support to stabilization efforts through, inter alia, the provision of gender and women protection advisers, and *further requests* enhanced reporting by MONUSCO to the Council on this issue;

40. *Recalls* its Presidential statement S/PRST/2015/22 and its resolution 2272 (2016), *reiterates* the urgent and imperative need to hold accountable all perpetrators of violations of international humanitarian law and violations and sexual exploitation and abuse, *requests* the Secretary-General to take the necessary measures to ensure full compliance of all personnel in MONUSCO with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council fully informed through his reports to the Council about the Mission's progress in this regard, and *urges* T/PCCs to take appropriate preventative action including vetting of

all personnel, predeployment and in-mission awareness training, and to ensure full accountability in cases of such conduct involving their personnel through timely investigation of allegations by T/PCCs and MONUSCO, as appropriate;

41. *Acknowledges* the crucial role of United Nations Women Protection Advisers deployed in MONUSCO in supporting the Government of the DRC to implement its commitments on addressing sexual violence in conflict and *calls on* MONUSCO to ensure they continue to work closely with the Government of the DRC at both strategic and operational levels;

42. *Requests* MONUSCO to ensure that any support provided to national security forces is in strict compliance with the United Nations HRDDP, and *calls upon* the Government of the DRC to work with MONUSCO to support the promotion of DRC security service personnel with reputable human rights records;

Humanitarian Access

43. *Demands* that all parties allow and facilitate the full, safe, immediate and unhindered access of humanitarian personnel, equipment and supplies and the timely delivery of humanitarian assistance to populations in need, in particular to internally displaced persons, throughout the territory of the DRC, respecting the United Nations guiding principles of humanitarian assistance, including humanity, impartiality, neutrality and independence, and relevant provisions of international law;

44. *Calls on* MONUSCO to strengthen its collaboration with humanitarian actors and streamline coordination mechanisms with humanitarian agencies to ensure information sharing on protection risks to the population;

45. *Calls on* all Member States to generously contribute to the United Nations humanitarian appeals for the DRC and the region to help ensure that United Nations humanitarian agencies and other international organizations are fully funded and able to address the protection and assistance needs of internally displaced persons, survivors of sexual violence, and other vulnerable communities;

Support to the Group of Experts

46. *Expresses* its full support to the United Nations Group of Experts established by resolution 1533 (2004), *calls for* enhanced cooperation between all States, particularly those in the region, MONUSCO and the Group of Experts, *encourages* timely information exchange between MONUSCO and the Group of Experts, further *encourages* all parties and all States to ensure cooperation with the Group of Experts by individuals and entities within their jurisdiction or under their control and *reiterates* its demand that all parties and all States ensure the safety of its members and its support staff, and unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

Mission effectiveness

47. *Requests* that mechanisms for intra-Mission coordination should be strengthened to enable "whole-of-mission" efforts, particularly on priority issues such as protection of civilians, *requests* in that regard that all components of the MONUSCO Force as well as its police and the civilian components to work together in an integrated way, and *encourages* MONUSCO and the United Nations system in-country to strengthen integration through shared information and joint analysis, as well as joint planning and joint operational activities, based on coordinated knowledge management, comparative advantages and joint implementation arrangements;

48. *Urges* the United Nations to continuously incorporate lessons learned to conduct reforms across MONUSCO to better enable its offices and contingents to implement its mandate, in particular regarding the protection of civilians, and to improve Mission chain of command, increase the effectiveness of MONUSCO operations, strengthen safety and security of personnel, and enhance MONUSCO's ability to manage complex situations, including the risk posed by improvised explosive devices and other explosive hazards;

49. *Demands* that all relevant parties cooperate fully in the deployment, operations, and monitoring, verification, and reporting functions of MONUSCO, in particular by guaranteeing the safety, security, and unrestricted freedom of movement of United Nations and associated personnel, throughout the territory of the DRC;

50. *Requests* MONUSCO to continue to maximise Force interoperability, flexibility, mobility and effectiveness in the implementation of the entirety of MONUSCO's mandate, including by deploying rapidly deployable units, specialized capabilities, including enhanced information-gathering assets and analysis, specialized infantry, key enablers such as medical evacuation and air assets, and by continuing to modernise and to strengthen the performance of the Force, bearing in mind the safety and security of all military contingents, police officers, military observers, and especially unarmed observers, *calls* on MONUSCO to streamline overall command and control of the Force, in order to increase efficiencies and to improve coordination between all elements of the Force and the police component in priority areas, and *reminds* the Secretary-General of the necessity to keep Memoranda of Understanding (MoUs) and Statements of Unit Requirements (SURs) between the T/PCCs and the United Nations up to date;

51. *Commends* the commitment of the T/PCCs in implementing the Mission's mandate in a challenging environment, *further encourages* T/PCCs to increase the percentage of women military and police in deployments to MONUSCO, *highlights* that undeclared national caveats, lack of effective command and control, refusal to obey orders, failure to respond to attacks on civilians, and inadequate equipment and information may adversely affect effective mandate implementation, stressing that any national caveat that negatively affects the implementation of mandate effectiveness should not be accepted by the Secretary-General;

52. *Recognizes* that the effective implementation of MONUSCO mandate is a shared responsibility and is contingent upon several critical factors, including well defined, realistic, and achievable mandates; political will, leadership, performance and accountability at all levels; adequate resources; policy, planning and operational guidelines and training; *further recognizes* that measuring and monitoring peacekeeping performance should be based on comprehensive and objective policy with clear and well defined benchmarks; and, in this regard, *welcomes* the initiatives undertaken by the Secretary-General to standardize a culture of performance in UN peacekeeping that operationalizes the Operational Readiness Assurance and Performance Improvement Policy, and conducts mission performance reviews of troop and police contingent performance, and leverages the Peacekeeping Capabilities and Readiness System (PCRS) to ensure performance data informs decisions regarding peacekeepers deployment, and *calls on him* to continue his efforts in this regard;

53. *Calls upon* the Secretary-General and police contributing countries to ensure that adequate administrative arrangements are in place to enable timely deployment of Formed Police Units where they are most needed;

54. *Requests* MONUSCO to consider the environmental impacts of its operations when fulfilling its mandated tasks and, in this context, to manage them as

appropriate and in accordance with applicable and relevant General Assembly resolutions and United Nations rules and regulations;

55. *Requests* the Secretary-General to carry out contingency planning in order to consider temporarily reinforcing MONUSCO, looking at all options including through inter-mission cooperation, with the sole purpose of implementing its mandate, and requests the Secretary-General to inform the Security Council of these proposed plans within 90 days from the adoption of this resolution;

Exit strategy

56. *Requests* the Secretary-General to continue his efforts to articulate a phased, progressive and comprehensive exit strategy, working with the Government of the DRC, the UN Country Team and other relevant stakeholders with a view to increasing national ownership and progressively transferring tasks for a smooth exit of MONUSCO, and to keep under constant review the Secretary-General's findings relating to adjustments following the successful holding of elections and sustainable progress towards reducing the threat posed by armed groups;

Strategic review

57. *Takes note of* the strategic review presented by the Secretary-General (S/2017/826) and *endorses* the recommendations relating to proposed adjustments to MONUSCO in the pre-electoral phase, *requests* the Secretary-General to implement changes in the mission leadership and mission support, and to implement a zero-tolerance policy on serious misconduct, sexual exploitation and abuse, fraud, corruption, trafficking in natural resources or wildlife, including by making full use of the existing authority of the SRSG to ensure accountability of the Mission's staff and through effective mission support arrangement;

58. *Requests* the Secretary-General to take full consideration of the evolution of the security situation in implementing changes to the Force, especially when considering the deployment of additional Rapid Deployment Battalions, *further requests* the Secretary-General to continue its work towards improving the efficiency of the Intervention Brigade;

Reports by the Secretary-General

59. *Requests* the Secretary-General to report to the Council every three months on the implementation of MONUSCO's mandate, including its Intervention Brigade, as set out in this resolution, including on:

(i) Progress made by the DRC on the implementation of the 31 December 2016 agreement and the electoral process, including on the provisions of paragraphs 1 to 10 above, as well as on the ways in which MONUSCO will be best prepared to address security risks and to monitor and report on human rights violations and abuses in the context of the elections, including in terms of deployment of the Force in areas identified as potential zones of instability and configuration of civilian and police component of MONUSCO, sexual violence and the impact of conflict on women and children using disaggregated data, and any gender considerations made;

(ii) The situation on the ground, including updates on operations to neutralize armed groups, in accordance with paragraph 36.i.d, and any instances where the Mission is not effectively fulfilling its protection of civilians mandate, and the circumstances surrounding these instances, including, as appropriate, incidents where units assert undeclared national caveats, lack effective command and control, refuse to obey orders, fail to respond to attacks on civilians, and have inadequate equipment;

(iii) Progress made by the DRC on protecting human rights and in the implementation of its commitments under the PSC Framework, including through the establishment and implementation of a national SSR roadmap, its provincial stabilization plan supported by the ISSSS and on the implementation of the DDR and DDRRR plans;

(iv) Progress in the implementation of the measures taken to transform MONUSCO and improve its performance, including measures to ensure Mission effectiveness as outlined in paragraphs 47 to 55, steps taken to prevent and redress performance failures, the deployment of rapidly deployable battalions and employment of the Intervention Brigade's capabilities, implementation of the comprehensive approach to protection of civilians, to become more mobile, efficient and effective in implementing its mandate and associated requirements, and on the definition of an exit strategy for MONUSCO, including the Intervention Brigade;

(v) The risks and their implications for the safety and the security for the United Nations personnel and facilities as a result of the possible military operations as well as all instances of threats against MONUSCO personnel, and measures taken to strengthen their security and mitigate risks;

60. *Requests* the Secretary-General to conduct a comprehensive performance review of all MONUSCO units in accordance with the Operational Readiness Assurance and Performance Improvement Policy and the Secretary-General zero-tolerance policy on Sexual violence and abuse by September 2018 and further report to the Council every three months, as part of its regular reporting, on the percentage of MONUSCO contingents who have satisfied the requirements of the these reviews, the status of any remediation action to address contingents who have not satisfied requirements, and detailing plans to address contingents where remediation is not deemed appropriate, as certified by the Force Commander;

61. *Requests* the Secretary-General to update the Security Council in writing every 30 days on political and technical progress towards 23 December 2018 elections, including benchmarks laid out in paragraph 7 above and obstacles to the implementation of the 31 December 2016 agreement, when no regular reports are due;

62. *Requests* the Secretary-General to report to the Security Council every six months, in coordination with the Secretary-General's Special Envoy for the Great Lakes Region and the SRSG for the DRC on the implementation of the commitments under the PSC Framework and its linkages with the broader security situation in the Great Lakes Region;

63. *Decides* to remain actively seized of the matter.